

REMARKS

Claims 1 – 20 are pending. Claims 1, 4, 6, 9, and 13 - 15 have been amended. No new matter has been introduced. Reexamination and reconsideration of the application are respectfully requested.

In the November 18, 2003 Office Action, the Examiner objected to the Information Disclosure Statement under 37 C.F.R. § 1.97 and 1.98 and also MPEP § 609 because either the document numbers or the names of the references are incorrect. One of the document numbers identified by the Examiner was an erroneous duplicate. The two remaining references have been submitted in a new information disclosure statement where the document numbers and names are correct. Applicants have also included the appropriate fee as outlined in 37 C.F.R. § 1.17(p). Accordingly, applicants submit that the Information Disclosure Statement is now within compliance.

The Examiner objected to the drawings under 37 C.F.R. 1.83(a) because the drawings do not show the claimed invention of the seam. Fig. 8(b) and the specification have been amended to identify the location of seams on the cover unit, (as reference number 153).

The Examiner objected to the drawings under 37 C.F.R. 1.84(p)(4) because reference character has been used to designate both a cover unit middle surface and a latching assembly. Figs. 7, 8(a - b), and 9(a - b) and the specification have both been modified to eliminate any use of any reference characters as designating two items. Accordingly, applicants submit that the objections to the drawings should be withdrawn.

The Examiner has identified that the use of the trademark should be properly identified in the specification. Applicants have amended the specification to capitalize

VELCRO and to identify VELCRO as a trademark.

The Examiner objected to claim 1 under 35 U.S.C. § 112, second paragraph for indefiniteness. Applicants have corrected the lack of antecedent basis for the limitation "said display device" and respectfully submit that this rejection has been overcome.

The Examiner has allowed claims 9 - 11. Claim 9 has been rewritten in independent form and slightly amended to improve the form. Claims 10 and 11 continue to depend from claim 9. It is believed that claims 9 - 11 are in condition for allowance.

The Examiner rejected claims 1 - 3, 7, 12 - 15, 18 and 20 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,489,924 to Shima et al. (the Shima reference). The Examiner rejected claims 4 - 6, 8, 16, 17, and 19 under 35 U.S.C. § 103(a) as being unpatentable over the Shima reference in view of U.S. Patent No. 5,128,829 to Loew (the Loew reference). These rejections are respectfully traversed.

Claim 1 distinguishes over the Shima and Loew references. Claim 1, as amended, recites:

A portable computer configurable in a tablet configuration, a laptop configuration, and a closed configuration, said portable computer comprising:

a display unit having a display device and a back surface;

a base unit having a primary input device and a bottom surface;

and

a cover unit having a top section affixed to said back surface of said display unit, a middle section and a bottom section, **said bottom**

section having a front portion affixed to said bottom surface of said base unit, wherein

said middle section of said cover unit is in contact with said back surface of said display unit when said portable computer is in the closed configuration,

said middle section and said bottom section form a support for said display unit when said portable computer is in said laptop configuration, and

said middle section is in contact with said bottom section and said back surface of said display unit when said portable computer is in said tablet configuration.

The Shima reference is directed to a computer, wherein the computer has a system body, a cover unit having a display panel with an input function on one side, and a connection means. The cover unit is able to be placed on the system body in a position in which the display panel mounted on the cover unit may be placed face up or face down. (*Shima, col. 1, lines 59 - 67.*) The cover unit 4 is not directly connected to the system body, but is connected through a rotatable arm or connection means 10, to the system body 2. The base edge of the connections means 10 is rotatably connected to the top edge of the rear end of the system body 2. On the other hand, the opposite, rotatable edge of the connection means 10 is rotatably connected, in the middle of the cover unit 4 in the transverse direction of the cover unit, to the middle of the cover unit. The cover unit 4 and the connection means 10 are connected by a hinge means 12 to each other. (*Shima, col. 3, lines 7 - 17.*)

The Shima reference does not disclose, teach, or suggest the system of claim 1, as amended. The Shima reference does not concern a portable computer configurable in a tablet configuration, a laptop configuration, and a closed configuration, a display unit having said display device and a back surface; a base unit having a primary input device and a bottom surface; and **a cover unit having a top section affixed to said back surface of said display unit, a middle section and a bottom section, said bottom section having a front portion affixed to said bottom surface of said base unit.**

Instead, the Shima reference discloses a cover unit that only attaches to the system body, i.e., base unit, through a connection means. (*Shima, col. 3, lines 6 - 11.*) This is not the same as a cover unit having a front portion affixed to said bottom surface of the base unit because the cover unit of the Shima reference never touches the system body, much less the bottom surface of said system body, i.e., base unit. Accordingly, applicants respectfully submit that independent claim 1, as amended, distinguishes over the Shima reference.

Independent claim 1 further distinguishes over the Shima reference. The Shima reference does not concern a portable computer configurable in a tablet configuration, a laptop configuration, and a closed configuration, a display unit; a base unit; and a cover unit having a top section affixed to said back surface of said display unit, a middle section and a bottom section, said bottom section having a front portion affixed to said bottom surface of said base unit, **said middle section and said bottom section form a support for said display unit when said portable computer is in said laptop configuration, and said middle section is in contact with said bottom section and**

said back surface of said display unit when said portable computer is in said tablet configuration.

Instead, the Shima reference discloses only that its cover unit includes one section, not a top section, a middle section, and a bottom section. Thus, the cover unit of Shima does not meet the limitations of claim 1. In the Office Action, the Examiner points to the reference numeral 10 as the cover unit, which the Shima reference describes as the connection means.

Assuming, *arguendo*, that the connection means 10 is the cover unit, the connection means does not include a top section, a middle section, and a bottom section, and thus does not meet the limitations of claim 1. Even if the cover unit 4 and the connection means 10 form a top portion and a middle section, there still is no bottom section of a cover unit, as recited in independent claim 1. Accordingly, because the Shima reference does not include a bottom section, the Shima reference cannot disclose a cover unit including a top, middle, and bottom section, **said middle section and said bottom section form a support for said display unit when said portable computer is in said laptop configuration, and said middle section is in contact with said bottom section and said back surface of said display unit when said portable computer is in said tablet configuration**, as recited in independent claim 1. Thus, applicants respectfully submit that independent claim 1, as amended, further distinguishes over the Shiga reference.

The Loew reference does not make up for the deficiencies of the Shiga reference. The Examiner utilizes the Loew reference to teach a portable computer having a latching assembly, a cover unit being made of flexible material, and a cover

unit having seams. (*November 18 Office Action, page 5*). Applicants acknowledge that the portable computer has a latching assembly. Applicants acknowledge that the cover unit of the Loew reference is disclosed to be formed of a plastic material. Applicants respectfully submit that the Loew reference does not disclose a cover unit having seams, as will be discussed later.

Regardless of the Loew's reference's above-mentioned disclosure, the Loew reference does not disclose, teach, or suggest a portable computer configurable in a tablet configuration, a laptop configuration, and a closed configuration, a display unit having a display device and a back surface; a base unit having a primary input device and a bottom surface; and **a cover unit having a top section affixed to said back surface of said display unit, a middle section and a bottom section, said bottom section having a front portion affixed to said bottom surface of said base unit.**

Instead, the Loew reference discloses a computer unit 10 having a housing 12, a cover 14, and a hinge 16. The housing 12 includes the display screen, a circuit board, and various control elements. (*Loew, col. 4, lines 46 - 60*). This is not the same as a cover unit including a top section affixed to said back surface of said display unit, a middle section, and a bottom section because the Loew reference's cover, i.e., cover unit, does not have multiple sections, i.e., top, middle, and bottom sections. Further, even if the Loew reference had a top section, the top section is not fixed to the back surface of said display unit, because the display unit is housed within the housing of the Loew reference and its back surface is internal to its housing 12.

Because the Loew references does not have a top, middle, and bottom section, the Loew reference cannot disclose a portable computer including a cover unit including

a top, middle, and bottom section, **said middle section and said bottom section form a support for said display unit when said portable computer is in said laptop configuration**, and **said middle section is in contact with said bottom section and said back surface of said display unit when said portable computer is in said tablet configuration**, as recited in independent claim 1. Accordingly, applicants respectfully submit that independent claim 1, as amended, distinguishes over the Loew reference, alone or in combination, with the Shima reference.

Independent claim 15, as amended, recites similar limitations to independent claim 1, as amended. Accordingly, applicants respectfully submit that independent claim 15, as amended, distinguishes over the Shima reference and the Loew reference, alone or in combination, for similar reasons as discussed above in regard to independent claim 1.

Dependent claims 2 - 14 and 16 - 20 depend, directly or indirectly, from independent claims 1 and 15. Accordingly, applicants respectfully submit that dependent claims 2 - 14 and 16 - 20 distinguish over the Shima and Loew references, alone or in combination, for the same reasons as discussed above in regard to independent claim 1.

Dependent claim 4 further distinguishes over the Shima and Loew references. Dependent claim 4, as amended, recites:

The portable computer according to claim 1, wherein **said cover unit is made of leather**.

The Shima reference does not disclose, teach, or suggest the method of dependent claim 4, as amended. Unlike the portable computer of dependent claim 4,

as amended, the Shima reference is not found to mention the material of which the cover unit is comprised. Thus, the Shima reference does not disclose that the cover unit is made of leather. Accordingly, applicants respectfully submit that dependent claim 4, as amended, distinguishes over the Shima reference.

The Loew reference does not make up for the deficiencies of the Shima reference. The Loew reference, as the Examiner cites, discloses that the cover unit is formed of a plastic material, preferably ABS with a clear acrylic lens over the display. (*Loew, col. 5, lines 15 - 17*). Plastic is not the same material as leather. Accordingly, applicants respectfully submit that dependent claim 4, as amended, distinguishes over the Loew reference, alone or in combination, with the Shima reference.

Dependent claim 6, as amended, further distinguishes over the Shima and Loew references. Dependent claim 6, as amended, recites:

The portable computer according to claim 1, wherein said cover unit **has a seam at an interface between said middle section and said bottom section.**

The Shima reference does not disclose the use of seam, as acknowledged by the Examiner. (*November 18 Office Action, page 5*). Accordingly, applicants respectfully submit that dependent claim 6, as amended, further distinguishes over the Shima reference.

The Loew reference does not make up for the deficiencies of the Shima reference. The Examiner stated that the Loew reference discloses the use of a seam in Figs. 1 - 12, but does not point to a reference number or any identifying feature of the seam. The computer of the Loew reference does not disclose a middle section or a

bottom section, so it would be impossible to disclose a seam at the interface of two non-existent sections. The Loew reference does disclose a hinge between the cover unit and the housing, but the hinge is not the same as a seam at the interface between said middle section and said bottom section. Accordingly, applicants respectfully submit that dependent claim 6 further distinguishes over the Loew reference, alone or in combination with the Shima reference.

Dependent claim 13 further distinguishes over the Shima and Loew references. Dependent claim 13, as amended, recites:

The portable computer according to claim 1, wherein said cover unit is **removably attached via snaps or adhesives to said back surface of said display unit.**

The Shima reference does not disclose, teach, or suggest the portable computer of dependent claim 13, as amended. The Shiga reference discloses that the display panel 6 is an LCD or plasma display is mounted within a cover unit. There is no discussion in the Shima reference of the cover unit being removably attached to the display unit. Accordingly, applicants respectfully submit that dependent claim 13, as amended, distinguishes over the Shima reference.

The Loew reference does not make up for the deficiencies of the Shiga reference. The Loew reference discloses that the computer housing 12 includes the display screen 18 and not the cover 16. The cover is not removably attached to the display unit in the Loew reference, instead it is attached via a hinge to the housing. (*Loew, col. 4, lines 46 - 59*). Accordingly, applicants respectfully submit that dependent claim 13, as amended, distinguishes over the Loew reference, alone or in combination,

with the Shima reference.

Dependent claim 14 further distinguishes over the Shima and Loew references.

Dependent claim 14 recites:

The portable computer according to claim 1, wherein said **cover unit is removably attached to said bottom surface of said base unit.**

Neither of the Shima or Loew references discloses that the cover unit is attached to a bottom surface of a base unit, as recited by dependent claim 14. Because the cover unit is not disclosed as being attached to the bottom surface of the base unit, it cannot be **removably** attached. Accordingly, applicants respectfully submit that claim 14, as amended, distinguishes over the Shima and Loew references, alone or in combination.

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Applicants believe that the claims are in condition for allowance, and a favorable action is respectfully requested. If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call either of the undersigned attorneys at the Los Angeles telephone number (213) 488-7100 to discuss the steps necessary for placing the application in condition for allowance should the Examiner believe that such a telephone conference would advance prosecution of the application.

Respectfully submitted,

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